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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF TORTURE AND DETENTION

Written statement* submitted by North South XXI, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 December 2000]

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* This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

GE.01-10404 (E)

Civil and political rights

(a) Torture and detention

Penal policy in the United States

1. The United States is fairly consistent in declining to ratify most major international conventions, especially those to do with human rights, such as the 1966 Covenant on economic and social rights and the 1989 Convention on the Rights of the Child. By so doing it eludes judicial constraints in international affairs, human rights questions in particular.

2. Domestic United States penal policy is exceptionally rigorous, incorporating many provisions that encroach on human dignity and the right to life. The availability of the death penalty and the large number of executions, the large number of people in prison in proportion to the total population, prison conditions, the discrimination and repression which the black population faces and the penal treatment of minors (in, for instance, the State of Texas) typify an unusually repressive penal policy. Social rights are often ignored; this is especially true of social welfare and the right to health.

3. Internationally, the United States claims that upholding and promoting human rights by interfering in one way or another is its universal calling; thus it violates one of the basic provisions of the Charter of the United Nations.

4. These contradictions make the United States a model not to follow and deprive it of any right to intervene in humanitarian matters, whatever efforts the media may make to give it a positive image. What is needed is a working group to consider the actual state of affairs in penal policy, especially as regards minors and the black population, and see how well it conforms to currently accepted principles in questions of the rights of detainees and human beings generally.

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